REMARKS

This response is to the Office Action mailed on 12/21/2010.

From the action:

This action is a non-final action in response to communication filed on 28 September 2010. Claims 40-42, 46-53, 70-72 and 75-82 are pending in the application. Claims 40-42, 46-53, 70-72 and 75-82 are rejected.

Applicant's response:

Acknowledged

From the action:

Response to Amendments

This action is in response to Request for Continued Examination (RCE) transmitted on 09/28/2010. Claims 40-42, 46-53, 70-72, and 75-82 are pending in this action. Claims 40 and 70 are being further amended.

Applicant's response:

Acknowledged

From the action:

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CPR 1.114, including the fee set forth in 37 CPR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CPR 1.114, and the fee set forth in 37 CPR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CPR 1.114. Applicant's submission filed on 09/28/2010 has been entered.

Applicant's response:

Acknowledged

From the action:

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Response to Arguments

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Applicant's arguments with respect to claims 40-42, 46-53, 70-72, and 75-82 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's response:

Acknowledged

From the action:

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Claim Rejections - 35 USC § 102

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Claim 40-42, 46-53, 70-72, and 75-82 rejected under 35 U.S.C. 102(b) as being anticipated by Vaid et al. (hereinafter Vaid) (US Patent No. 6,502,131).

As to claims 40 and 70, Vaid discloses a communication management system and method, comprising: a computer appliance associated with a particular user (**see at least figure 1 and details associated, col. 2, lines 45-62; graphical user interface for monitoring a flow of information coupled to a network of computers**); a data repository coupled to the computer appliance storing a directory of contact identities a zone manager enabling the user to create one or more zones defined each by a business or a social activity, to associate specific contact identities with individual ones of the zones created, and to create management policies associated with and specific to each zone created (**see at least col. 16, line 64-col. 17, line 11, col. 27, lines 23-40; figures 2, 7, 8,19 and details associated; enforcing policies based on named users/groups are detailed; further wherein traffic classes can incorporate users and groups - - which may be defined in repositories such as: NT.TM. domains or Novell's NDS etc.);**

Applicant's response:

The applicant urges that the limitations in the claim language at this point are specifically:

"a data repository coupled to the computer appliance storing a directory of contact identities, a zone manager enabling the user to create one or more zones defined each by a business or a social activity, to associate specific contact identities with individual ones of the zones created, and to create management policies associated with and specific to each zone created"

The examiner applies Vaid from column 16, line 64 to column 17, line 11, which states exactly as follows:

"These terms include, among others, "rules" and "classes" and "policies." Rules can be created for very specific groups of flows or more general groups of flows, which are commonly all the stuff that transmits to and from a link to a gateway point. Groups of flows are also referred to as traffic classes, but are not limited to such classes. Classes also can be defined by source, destination, application, file types, URLs, and other features. Policies can be specified to control traffic flows in terms of overall bandwidth guarantees, bandwidth limits, priority of service, how individual sessions within a class are serviced or admitted, and other aspects. The present tool also has intelligent policy validation that prevents users from defining any contradictory or ambiguous rules. Policy validation is generally a higher level check used by way of the present method.

Applicant urges that all of the claimed limitations and features limitations and features were discussed at length in the interview held on 2 September, 2011, and it was apparent that the examiner understood the elements and arrangement of elements of the invention as recited in claims 40 and 70. Yet the examiner has applied art that makes no mention or teaching of the specific limitations of (1) directory of contact identities, (2) a zone manager enabling the user to create one or more zones defined each by a business or a social activity, (3) to associate specific contact identities with individual ones of the zones created, or (4) to create management policies associated with and specific to each zone created.

None of the four specific limitations listed above are taught in the portion of Vaid applied by the examiner. In Vaid all policies are associated with controlling traffic flows. In Vaid it is stated that "rules can be created for very specific groups of flows", but it is certainly NOT taught that each individual associated with a computer is enabled to create zones, associate contacts with zones, and to create zone-specific management policies.

Further from the action:

The examiner continues with the limitations of claim 40 as follows:

"...and an identity/zone firewall acting as an enforcer of management policies and serving as a gateway through which incoming and outgoing communications pass (**see at least col. 4, lines 34-45, col. 9, lines 42-50; figures 1-2 and details associated; wherein a network or firewall administrators with the ability to implement policy-based schema for security and resource management for incoming and outgoing information to the network is explained**);

Applicant's response:

Applicant points out that the identity/zone firewall recited in applicant's claim is specific to the computer appliance associated with the specific user, although that may not be quite well-enough recited in claim 40, and therefore claim 40 is herein amended to make this clear. Each computer associated with each user has such a firewall which operates on behalf of that user to enforce the management policies created by that user. In Vaid administrators may create policies (limited to traffic flows) at a gateway through which communications from many persons may pass. It is far from the same.

Further from the action:

The examiner continues with limitations of claim 40:

"..wherein individual incoming or outgoing communications are associated at the identity/zone firewall with a zone, by one or both of identities of sender and receiver and message content (**see at least figure 19 and details wherein a sender (1903) and a**

receiver (1905) and defined with respect to monitoring and controlling policy based management system), and the management policies specific to that zone are enforced before the communications are allowed to pass (**see at least col. 11, lines 32-41, figures 2-3 and details; wherein testing tools to obtain detailed analysis of flow and traffic behavior with/without policy enforcement before new application is deployed to change the network infrastructure is being explained also policy/bandwidth is being enforced to ensure that traffic gets through the network**).

Applicant's response:

The claim recites that "individual incoming or outgoing communications are associated at the identity/zone firewall with a zone, by one or both of identities of sender and receiver and message content…" The examiner applies that Vaid teaches "**wherein testing tools to obtain detailed analysis of flow and traffic behavior with/without policy enforcement before new application is deployed to change the network infrastructure is being explained also policy/bandwidth is being enforced to ensure that traffic gets through the network.**"

The applicant is simply amazed that the very specific limitations at this point are seemingly ignored. How does, for example, "obtaining detailed analysis of flow and traffic behavior with/without policy enforcement" relate in any way to associating a specific communication with a zone, with identities of contacts, or message content??? Where in the world does Vaid teach any operation according to message content, as claimed?

Applicant insists that most of the very clear limitations of applicant's claim 40 have been skipped over in the rejection, even though all were discussed in detail in person with the examiner in September. Vaid does not even come close to teaching the elements and arrangement of elements recited in claim 40, and claim 40 is clearly and unarguably patentable over Vaid.

As to claim 70, the applicant has made the same amendment made to claim 40 to be sure it is understood that the firewall is at the computer appliance, such that all

incoming communications to and from that appliance have to pass through the firewall. Claim 70 is therefore patentable over Vaid by the same rationale detailed above on behalf of claim 40.

Further from the action:

As to claim 41, Vaid discloses the system of claim 40 wherein contact identities may be names or aliases of person or devices **(see at least figure 2, col. 9, lines 42-50; network physical can include personal computers, common PCs, or network interface computers (NCs) or work stations)**.

As to claim 42, Vaid discloses the system of claim 40 further comprising an interface to a network, wherein the communication involves sending or receiving message over the network **(see at least figure 19 and col. 27, lines 45-55; alarm, enforcing can be in form e.g. email notification, pager message, SNMP trap, log entry and so on)**.

As to claims 43-45, (Cancelled).

As to claim 46, Vaid discloses the system of claim 40 wherein messaging in multiple modes and protocols is supported, including but not limited to voice and text **(see at least figure 19 and col. 27, line 45-col. 28, line 15)**.

As to claim 47, Vaid disclose the system of claim 40 wherein contact identities of single users or devices may vary by communication mode as well as by zone **(see at least figures 2-3 and details associated)**.

As to claim 48, Vaid discloses the system of claim 46 wherein the multiple modes and protocols include email, instant messaging, RSS, voice mode, network-news transport protocol (NNTP), file transport protocol (FTP), really simple syndication

(RSS), universal discovery_ description and integration (UDDI), lightweight directory_ access protocol (LDAP), multipurpose internet mail extensions (MIME, post office protocol (POP), simple mail transport protocol (SMTP), Internet message access protocol (IMAP), session initiation protocol (SIP), text messaging services (TMS), and hypertext transport protocol (HTTP) **(see at least figures 9, 19 and col. 27, line 45-col. 28, line 15, col. 18, lines 38-42)**.

As to claim 49, Vaid discloses the system of claim 40 wherein contact identities include both sender and recipients **(see at least figure 19 and details wherein a sender (1903) and a receiver (1905))**.

As to claim 50, Vaid discloses the system of claim 40 further comprising generated alerts from attempted policy violation **(see at least col. 10, lines 56-60, figure 3; reporting/alarming phase 305)**.

As to claim 51, Vaid discloses the system of claim 41 wherein contact identity name may be in a form of a URI, an email address, a telephone number, a machine address, an IP address, or a text message **(see at least col. 14, lines 34-col. 15, line 43; traffic classes and traffic entities)**.

As to claim 52, Vaid disclose the system of claim 40 wherein management policy includes automatic handling of incoming communication events, the handling determined by one or both of contact identity and mode of communication **(see at least col. 20, 50-57, automatically start profiling traffic in inbound and outbound directions without any further configuration)**.

As to claim 53, Vaid discloses the system of claim 40 further comprising an interactive user interface for a user to create and populate zones, enter contact identities

and create, edit, and associate policy (**see at least figure 12, 61-col. 21, line 9; GUI)1200) shown in figure 12 can create and edited rules, policies or groups etc.**).

As to claims 54-69, 73 and 74, (Cancelled).

As to claim 71-72 and 75-82, there claimed limitations are same as previously addressed claims 41-42, and 46-53 except being method claims and therefore are rejected for the same reason as claims 41-42, and 46-53.

Applicant's response:

It has been shown abundantly clearly above that independent claims 40 and 70 are patentable over the art of Vaid. Claims 41, 42, 46-53, 71, 72, and 75-82 are therefore patentable at least as depended from a patentable claim.

From the action:

Examiner's Note

Examiner has cited particular paragraphs, figures, columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see the form PTO-892 (Notice of Cited References) for a list of more relevant prior arts.

Applicant's response:

The applicant has studied the whole of Vaid and the art cited but not applied, and is confident that the art, taken singly or in combination does not teach the claims recited as amended in this response.

Summary

As all of the claims, as amended and argued above, have been shown to be patentable over the art presented by the Examiner, applicant respectfully requests reconsideration and the case be passed quickly to issue. Further the applicant urges that another conference be scheduled with the examiner and his supervisor to discuss the state of examination of this case, which has been through seven rounds of examination.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted
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